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NOV 18 1993

Before the  
**FEDERAL COMMUNICATIONS COMMISSION**  
Washington D.C. 20554

FEDERAL COMMUNICATIONS COMMISSION  
OFFICE OF THE SECRETARY

IN RE APPLICATIONS OF:

MM DOCKET NO. 93-88

EZ COMMUNICATIONS, INC.  
and

ALLEGHENY COMMUNICATIONS GROUP, INC.

Pittsburgh, Pennsylvania

DATE OF HEARING: October 26, 1993

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The above-entitled matter come on for hearing pursuant to Notice before Judge Edward Luton, Administrative Law Judge, at 2000 L Street, N.W., Washington, D.C., in Courtroom No. 3, on Tuesday, October 26, 1993, at 10:00 a.m.

APPEARANCES:

On behalf of EZ Communications, Inc.:

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On behalf of Allegheny Communications Group, Inc.:

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On behalf of Mass Media Bureau:

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## I N D E X

<u>Witness</u>	<u>Direct</u>	<u>Cross</u>	<u>Redirect</u>	<u>Recross</u>
Edward "Tex" Meyer				
By Mr. Miller	157		281	
By Mr. Berfield		160		
By Mr. Zauner		255		
<u>Allegheny Exhibits</u>	<u>Identified</u>	<u>Received</u>	<u>Rejected</u>	
Exhibit No. 14	197	217		
Exhibit No. 15	198	217		
Exhibit No. 16	198	217		
Exhibit No. 17	198	217		
Exhibit No. 18	198	217		
Exhibit No. 19	198	217		
Exhibit No. 20	198	217		
Exhibit No. 21	198	217		
Exhibit No. 22	207	217		
Exhibit No. 23	226	250		
Exhibit No. 24	231	250		
Exhibit No. 25	245			
Hearing Began: 10:00 a.m.	Hearing Ended: 3:50 p.m.			
Lunch Began: 12:00 p.m.	Lunch Ended: 1:15 p.m.			

## P R O C E E D I N G S

1 JUDGE LUTON: Is there anything of a preliminary  
2 nature to be raised by anybody?

3 MR. KRAUS: Yes, Your Honor. Two minor items. One,  
4 we had previously handed the parties supplementary EZ Exhibit  
5 12 which was a supplement to Exhibit 11 and responded in  
6 effect to a request for backup information relating to Exhibit  
7 11. In the course of reviewing that Exhibit 12, we found a  
8 couple of minor, inconsequential errors in the engineering  
9 statement and have two revised pages which we are distributing  
10 to everybody today and will -- when Mr. Box comes on the stand  
11 tomorrow we will have the full set.

12 MR. MILLER: We have -- the Judge doesn't have one  
13 of these yet.

14 JUDGE LUTON: Okay.

15 (Asides.)

16 MR. KRAUS: The, the modifications are -- I'll give  
17 it to you --

18 JUDGE LUTON: Thank you.

19 MR. KRAUS: The modifications just for the record  
20 are very straightforward. The coverage depicted of WDVE is  
21 not 93 percent -- but 70 some percent. And the label had been  
22 left off the map on, on the next to last page of the exhibit.  
23 The label is now on it where it's not labeled. And with that,  
24 with these modifications -- present the parties with a full  
25

1 exhibit corrected tomorrow or maybe later today. I'd like to  
2 move for admission of Exhibit 12.

3 MR. BERFIELD: Well, Your Honor, I would object  
4 until we've had a chance to see the revised exhibit. We just  
5 received these papers a few minutes ago. And we haven't had a  
6 chance to look at it. So I, I would object until a later date  
7 when we'll have Mr. Box here or perhaps some stipulation could  
8 be reached on it.

9 MR. KRAUS: Fine. The, the second item that is the,  
10 the first EZ witness Mr. Meyer, the general manager of WBZZ.  
11 He is here this morning. He's been called by Alan Box, the  
12 president of the company. Mr. Box is in town and is prepared  
13 to be here in about an hour's, hour and a half's notice. So  
14 if Your Honor wants him to appear today and we're able to get  
15 that far, he will make every effort to do so at the  
16 convenience of the Judge and the other parties. That's the  
17 only preliminary matter I have.

18 JUDGE LUTON: Who is the witness that's expected to  
19 come tomorrow?

20 MR. KRAUS: Mr. Box is, is scheduled at least, Your  
21 Honor, in our minds for tomorrow. We could be prepared to  
22 come today if, if we could start and that will help.

23 JUDGE LUTON: Who's the third witness, Mr. Kellar?

24 MR. KRAUS: Mr. Kellar I think we had thought would  
25 be scheduled, at least called on Thursday. I think Mr.

1 Berfield had suggested --. It was uncertain either one of  
2 them --.

3 MR. BERFIELD: Well, that's correct, Your  
4 Honor. I -- my anticipation is that we will call Mr. Kellar.  
5 I would, I would think that Mr. Meyer -- it's hard to know,  
6 but I would think that Mr. Meyer would go into, at least into  
7 the afternoon. And I'd be prepared now just for the, the sake  
8 of letting everyone know that, to take, start off with Mr. Box  
9 in the morning.

10 I think it's pretty certain that we can finish Mr.  
11 Meyer today. And I think we can definitely finish Mr. Box and  
12 Mr. Kellar tomorrow. That would be -- in other words, we want  
13 to set some uniformity and let the witnesses know for their  
14 plans, that would be fine with me. If we take Mr. Meyer today  
15 and then Mr. Box and Mr. Kellar tomorrow, I'm sure we'll be  
16 finished by tomorrow.

17 JUDGE LUTON: Mr. Kraus, you mentioned something  
18 about Mr. Kellar in terms of Thursday.

19 MR. KRAUS: Well, we had thought that's when he  
20 would be called. I'll have to check, but I think he's  
21 available tomorrow also.

22 JUDGE LUTON: All right. Why, why don't you check  
23 that?

24 MR. KRAUS: He's also in town.

25 JUDGE LUTON: Because if he is available, we'd like

1 to have him here if we get to him.

2 MR. KRAUS: He will become available if it's at all  
3 possible tomorrow. I, I know that he's in town. And I think  
4 he does not have a commitment tomorrow afternoon --

5 JUDGE LUTON: All right.

6 MR. KRAUS: Certainly not a commitment more  
7 important than this hearing.

8 JUDGE LUTON: All right. Let's proceed then with  
9 Mr. Meyer. I'm sorry. How do you want to do it?

10 MR. MILLER: Are we on the, are we on the record  
11 yet?

12 JUDGE LUTON: Have been all the while.

13 MR. MILLER: Oh, I thought you did the preliminary  
14 matters before we'd be on the record. I'm sorry.  
15 Whereupon,

16 EDWARD "TEX" MEYER  
17 having been first duly sworn, was called as a witness herein  
18 and was examined and testified as follows:

19 DIRECT EXAMINATION

20 BY MR. MILLER:

21 Q Would you state your name and address for the  
22 record, sir?

23 A My name is Edward Tex, Tex is a nickname, Meyer,  
24 M-E-Y-E-R. Address is 2518 Lindenwood, L-I-N-D-E-N-W-O-O-D  
25 Drive, Wexford, W-E-X-F-O-R-D, Pennsylvania.

1 Q And you are the vice president and general manager  
2 of WBZZ in Pittsburgh, correct?

3 A I am.

4 Q You have placed before you copies of a number of  
5 exhibits. Would you turn to Exhibit No. 2, sir?

6 (Pause.)

7 Q Is that your statement, and does it bear your  
8 signature?

9 A It is. The copy in here does not contain my  
10 signature.

11 Q Would you turn to page 11-3 of it, sir?

12 A This copy does not contain my signature.

13 Q Does that bear your signature, sir?

14 A Yes, it does.

15 Q Do you have any corrections to make to that exhibit?

16 A I've read it, and I have no corrections.

17 Q Thank you.

18 MR. MILLER: Your Honor, we can turn the witness  
19 over for cross-examination now on this exhibit or go through  
20 this procedure with all of his exhibits and get that out, over  
21 with. I --

22 MR. BERFIELD: That's what I'd prefer, Your Honor.  
23 Because I don't intend to start with cross-examination on  
24 Exhibit 2.

25 JUDGE LUTON: All right. Go ahead with the rest of



1 them.

2 BY MR. MILLER:

3 Q Would you turn next to Exhibit No. 3 which is way  
4 towards the back of the --. Is that your statement? Does it  
5 bear your signature, and do you have any corrections?

6 A It is my statement, contains my signature. I have  
7 no corrections.

8 Q Thank you. Would you turn now to Exhibit 5. Is  
9 that your statement? Does it bear your signature? Do you  
10 have any corrections?

11 A It's my statement. It has my signature. And no  
12 corrections.

13 Q Thank you, sir. Would you turn now to Exhibit 7.  
14 Does that -- is that your statement? Does it bear your  
15 signature? Do you have any corrections?

16 A It's my statement. It has my signature. No  
17 corrections.

18 Q And lastly would you turn to Exhibit No. 10. Is  
19 that your statement? Does it bear your signature? Do you  
20 have any corrections?

21 A It's my statement, my signature, no corrections.

22 MR. MILLER: Your Honor, the witness is available  
23 for cross-examination.

24 JUDGE LUTON: Allegheny.

25 MR. BERFIELD: Thank you, Your Honor.

## CROSS-EXAMINATION

BY MR. BERFIELD:

Q Mr. Meyer, focusing first on WBZZ Exhibit No. 10, your background.

A Yes, sir.

Q Prior to becoming general manager of BZZ in March of 1984, had you ever lived in the Pittsburgh area? Had you ever resided in the Pittsburgh area prior --

A No, no, I have not.

Q Had you ever resided in the state of Pennsylvania prior to March of 1984?

A No, I have not.

(Pause.)

Q Now in your statement you indicate that you own 5,600 shares of Class A stock of EZ Communications. Do you recall, remember when you acquired that stock?

A Yes.

Q When was that?

A I acquired 4,600 shares in 1987. And I acquired 1,000 shares I believe it was in May of '92 this year.

Q Do you know how many shares of Class A stock of EZ Communications are outstanding at this time?

A No, I do not.

Q Now in your exhibit you indicate that you typically devote 55 to 60 hours per week to your duties at WBZZ. Is

1 that on a 5-day week schedule or more than 5 days? Could you  
2 explain the 55 hours?

3 A Sure.

4 Q The 60 hours.

5 A I generally arrive at the station between a quarter  
6 to 8 and 8 o'clock in the morning. I am there at least until  
7 6 o'clock, some nights until 7 o'clock, Monday through Friday.  
8 I'll attend various appearances, remote broadcasts if they're  
9 scheduled during the week. And I'll either work a Saturday or  
10 a Sunday. I vary that from week to week depending on what my  
11 home schedule is. And I'll put in anywhere from 2 to 6 hours  
12 in on a weekend.

13 Q Thank you.

14 (Pause.)

15 Q Now as general manager of the, of the station, do  
16 you have any responsibility with respect to sales?

17 A Yes, I do.

18 Q And what are those?

19 A I oversee the sales department. I'm responsible for  
20 the sales of the radio station. I report directly to Mr. Box.

21 Q Do you handle the national sales for the station?

22 A Yes, I do.

23 Q Now do you have a separate station manager at WBZZ?

24 A No.

25 Q You function as the station manager as well as

1 general manager?

2 A Correct.

3 Q And I wonder if you could indicate what are the  
4 other management positions at WBZZ?

5 A Sure, I'd be glad to, Mr. Berfield. I oversee  
6 engineering which is the technical aspect of the radio  
7 station. General and administrative or the business  
8 department. We have a business manager. General sales  
9 manager, and in the last month we added a local sales manager  
10 who reports directly to the general sales manager. The news  
11 director of the radio station. The traffic or -- excuse me,  
12 the traffic director. And the program director of the radio  
13 station.

14 Q Has that been essentially the department head or  
15 management structure at the station since you've, during your  
16 tenure there?

17 A Yes, sir, it has.

18 Q And these various department heads or managers that  
19 you just identified, do they all report to you?

20 A Yes, they do, sir.

21 Q And do they -- they're under your supervision and  
22 direction?

23 A Yes, they are.

24 Q And that's with respect to all, all phases of  
25 station operation?

1           A     Yes, sir.

2           Q     Now with respect to the, these various department  
3 heads, what are, what are the duties of the program director  
4 of the station?

5           A     Program director is responsible for the hiring of  
6 all on-air people on the radio station. Also he'd be  
7 responsible for the firing of all on-air personalities on the  
8 radio station. He's responsible for the play list or the  
9 music, the formatics (phonetic sp.) of the radio station or  
10 the jingles that are placed where the music is placed.

11                   He's responsible for a quarterly audit of the radio  
12 station which checks all the functions regards to programming.  
13 That's a double check to my 6-month audit. He's also  
14 responsible for overseeing the news department. The news  
15 director reports to the program director. And also includes  
16 promotion and remote broadcasts and things of a lesser  
17 nature --

18           Q     I see. Can the program director hire or fire air  
19 personalities without your approval?

20           A     No.

21           Q     Needs your approval.

22           A     Absolutely.

23           Q     You indicated that the program director determines  
24 the play list, those are the records that are played on the  
25 station?

1           A     That is correct.

2           Q     Does the program director determine the format of  
3 the station?

4           A     I don't know if I understand that question.

5           Q     What, what is the format of WBZZ?

6           A     It's either contemporary hit radio. Some people  
7 describe it as top 40. Some people describe it as a hit music  
8 format. Just various terms for the same thing.

9           Q     And has that potentially been the, the same format  
10 during your tenure at the station?

11          A     Yes, it has.

12               MR. MILLER: Your Honor, I'm beginning to wonder how  
13 this is relevant to the comparative issue or to the renewal  
14 extension. Surely the format of the station doesn't have  
15 anything to do with either of those things.

16               MR. BERFIELD: Well, Your Honor, I have no further  
17 questions at this time on that particular -- I'm moving on --  
18 I'm trying to get a feel for the management structure and this  
19 gentleman's position there, because I think that will be  
20 relevant in, in the renewal expectancy in some later  
21 questions. These are background questions.

22               BY MR. BERFIELD:

23          Q     You mentioned the, that one of your department heads  
24 or the traffic manager, is that correct?

25          A     Traffic director. They put the commercials on the

1 air.

2 Q You mean the traffic director schedules the  
3 commercials?

4 A Yes, that's correct

5 Q Does the traffic director have any other duties?

6 A No.

7 Q And you indicate the -- I believe you indicated you  
8 have a business manager at the station. Is that correct?

9 A That is correct.

10 Q And could you tell me what the duties of the  
11 business manager are?

12 A The duties of the business manager are to make sure  
13 invoices go out in a timely fashion. She is responsible for  
14 the general and administrative work at the radio station, the  
15 balancing of the books, the end of the month reports which go  
16 on to the corporate office which I approve. That's generally  
17 the business aspect of the station. She oversees that.

18 Q Now I think you've indicated in your exhibit that  
19 you personally monitor the station. Is that correct?

20 A From a listening standpoint?

21 Q From a listening standpoint.

22 A Yes, I do.

23 Q And how many hours a week would you say  
24 approximately you monitor your station?

25 A It's very difficult to say. I have the radio on in

1 my office all during the business day. But if I'm on the  
2 phone, I may not hear something exactly. I listen to the  
3 radio coming to work which is about a half hour commute in the  
4 morning. I listen to it going home. I listen to it at home.  
5 I listen to it at weekends. I listen to it at night. I hear  
6 a lot of radio.

7 Q Thank you. Now with respect to your authority at  
8 the station over hiring and firing, you have to consult with  
9 corporate, EZ's corporate, anyone in corporate manager before  
10 you hire or fire someone?

11 A There's no strict corporate rule on that. But Alan  
12 Box who I directly report to, I always make him aware of a  
13 situation where there's either going to be a hiring of a  
14 person or termination of a person. Because I like to get his  
15 feedback on those types of things.

16 Q Now are you familiar with a FM station WQKB licensed  
17 in New Kensington, Pennsylvania?

18 A Yes, I am.

19 Q And where is New Kensington located?

20 A It's northeast of Pittsburgh.

21 Q Is it close in suburb of Pittsburgh?

22 A I don't know what you mean by a close in suburb of  
23 Pittsburgh. It's 20 miles probably as the eagle flies. I  
24 mean I think that's relative depending on where you live  
25 and --



1 Q Now EZ has a time brokerage or local marketing  
2 agreement with WQKB, is that correct?

3 A That is correct.

4 Q And that agreement took effect January 1st of '93,  
5 is that correct?

6 A That is correct.

7 Q And under that agreement, WBZZ provides programming  
8 that's broadcast over QKB. Is that correct?

9 A That's not correct.

10 Q What, what does, what does WBZZ do with respect to  
11 WQKB?

12 A We don't do any programming from WBZZ on WQKB. We  
13 have a non-entertainment -- we supply non-entertainment  
14 programming with a separate staff on WQKB. WBZZ has a staff.  
15 WQKB has a staff.

16 Q What's you're saying is that you don't simulcast any  
17 WBZZ programming over QKB, is that correct?

18 A Not at all.

19 Q Okay. But EZ employees provide a program service  
20 for QKB. Is that correct?

21 A Right. That is correct. But none of the WBZZ  
22 employees, in other words the on-the-air announcers, are on  
23 WQKB.

24 Q Now but the, the announcers who broadcast over QKB  
25 are employees of EZ, correct?

1           A     They receive a salary in the non-entertainment  
2 programming. In the entertainment programming. Excuse me.  
3 I'm sorry. The entertainment programming.

4           Q     You say they receive a salary. They're employees,  
5 are they not, of EZ?

6           A     Of EZ Communications, correct.

7           Q     And EZ Communications then, EZ Communications  
8 employees provide the, all the non-entertainment programming  
9 for QKB, is that correct?

10          A     No. The entertainment programming.

11          Q     All the entertainment programming.

12          A     Yes.

13          Q     And these announcers at EZ who provide the  
14 programming over QKB -- well, let me ask you this. Could you  
15 indicate what EZ employees there are who perform functions  
16 with respect to QKB?

17          A     Yes, we have -- you want me to name them  
18 individually or you want -- how, how do you want that done?

19          Q     Well, by category. If naming the names will make it  
20 easier for you, do it that way, yes.

21          A     Well, we supply the Monday through Friday morning  
22 programming on WQKB, the midday programming, the afternoon  
23 drive programming, 7 until midnight and all night programming,  
24 some weekend programming. We have a separate WQKB sales staff  
25 that sells the entertainment portion of QKB which there are

1 five salespeople. Double duties would include the business  
2 administrator, traffic.

3           There's separate engineering. In other words,  
4 Signature Broadcasting or Signature Partners LP has their own  
5 engineering staff, general manager, and public affairs  
6 director. Is that, is that the answer --

7           Q     Yeah.

8           A     -- you're looking for?

9           Q     You say Signature --

10          A     Partners LP.

11          Q     Partners LP. That's the current licensee of QKB?

12          A     Yes, that's correct.

13          Q     Now how many hours a week of, of programming on WQKB  
14 is produced by EZ employees?

15          A     Roughly -- this is going to be an approximate,  
16 roughly 156 to 160. The rest is supplied by public affairs  
17 and Signature Broadcasting LP.

18          Q     Now does an EZ employee perform new services for  
19 QKB?

20          A     Yes, on a Monday through Friday basis.

21          Q     And who is that employee's name?

22          A     Lynn Mancuso.

23          Q     And is that a Miss or Mr.?

24          A     That's a Miss.

25          Q     Miss. Does Miss Mancuso have any duties with

1 respect to WBZZ?

2 A No.

3 Q So Miss Mancuso is an EZ -- is she a full-time  
4 employee?

5 A Yes, she is.

6 Q So Miss Mancuso a full-time employee of EZ and her,  
7 her duty is to do the news over QKB, is that correct?

8 A That is correct, Monday through Friday.

9 Q And is she under the supervision then of your, your  
10 program director, WBZZ program director?

11 A No. She's under the supervision of a WQKB program  
12 director. There's a separate BZZ program director and a  
13 separate WQKB program director.

14 Q Who is the program director for WQKB?

15 A Bill Macky, M-A-C-K-Y.

16 Q Now when you said that EZ Communications provided  
17 156 to 160 hours of programming over QKB, were you including  
18 the news programming over QKB?

19 A Yes, I was.

20 Q What is the format of QKB?

21 A Country.

22 Q And how many employees or how many announcers did  
23 you say employed by EZ provide programming for WQKB?

24 A Six full-timers and two part-timers. That does not  
25 include the program director, Mr. Berfield.

1 Q You mean Mr. Macky?

2 A Correct.

3 Q Well, whose payroll is Mr. Macky on?

4 A He's paid out of EZ Communications.

5 Q In other words, EZ Communications has a separate  
6 program director for QKB. Is that correct?

7 A They have a program director for QKB and a program  
8 director for WBZZ.

9 Q Thank you. And does Mr. Macky report to you?

10 A Yes, he does.

11 Q Now the EZ announcers who produce programming over  
12 QKB, where, where do they work? Do they work out of the WBZZ  
13 studios?

14 A No, they do not.

15 Q Where do they work?

16 A They work out of Lincoln Avenue in Millvale,  
17 Pennsylvania.

18 Q Is, is the Lincoln Avenue, is that where the QKB  
19 studios are located?

20 A Yes, that's correct.

21 Q Do any other EZ employees work at the QKB studios  
22 other than the entertainment announcers you've discussed?

23 A Yes. The program director does, Bill Macky, and the  
24 promotion director whose name is Maureen Mihm, M-I-H-M.

25 Q And the program director is an EZ employee?

1           A     Yes.

2           Q     The program director whose doing the program for QKB  
3 is an EZ employee?

4           MR. MILLER: Your Honor, this is at least the fourth  
5 time that that question has been asked and answered. I wonder  
6 whether we need that many repetitions in the record for  
7 Allegheny --

8           MR. BERFIELD: Well, if -- I didn't recall that  
9 formulation. If it has, I have no objection. I just wanted  
10 to make it clear. I think that --

11          JUDGE LUTON: Let's get a response.

12          WITNESS: Would you repeat the question, please?

13          BY MR. BERFIELD:

14          Q     Yeah. The, the program director for QKB is an EZ  
15 employee?

16          A     Yes, for the entertainment of the programming,  
17 that's correct.

18          Q     Are, are you saying then that the, the program  
19 director, the EZ employee who is the program director for QKB  
20 is not involved at all in any non-entertainment programming?

21          A     No, he's involved in some non-entertainment  
22 programming. Newscasts are non-entertainment programming.  
23 Public service announcements. The only thing he is not  
24 responsible for is their public affairs programming.

25          Q     But he is responsible for the news programming. Is

1 that correct? QKB news programming?

2 A Yes, Monday through Friday basis, right.

3 (Pause.)

4 Q Would the program director who is on EZ's payroll  
5 then determine the scheduling of newscasts on QKB when those  
6 are scheduled?

7 A That was a joint decision that was made by a number  
8 of people on January 1st or shortly after.

9 Q Well, were you involved in that decision?

10 A Yes.

11 Q And was your program director, Mr. Macky, involved  
12 in that decision?

13 A I don't believe he was, because he didn't start  
14 until a couple days after that.

15 Q I see. And Ms. Mancuso reports to Mr. Macky. Is  
16 that correct?

17 A Correct.

18 Q Now WQKB under your time brokerage, they have no  
19 announcers of their own. Is that correct? The only  
20 announcers are those that are employed by EZ?

21 A No, that's not correct.

22 Q Okay. What, what announcers if any are employed by  
23 the licensee of QKB?

24 A They have a public affairs director and I, I don't  
25 remember what his name was or is. He does the public affairs

1 programming. He does a show called Sidebar which runs from  
2 7:30 to 8:30 on Sunday morning. He puts together the public  
3 affairs programming. But he actually does the show.

4 Q Have you heard the show?

5 A Yes.

6 Q Other than that show, are there any announcers over  
7 at QKB who are employed by the QKB licensee?

8 A He's the only one that I'm aware of.

9 Q Now you indicated that there are EZ employees who  
10 are salespeople who sell the time on QKB. Is that correct?

11 A That's correct.

12 MR. MILLER: Your Honor, these questions are  
13 repeatedly being asked and answered. There is no LMA issue in  
14 this proceeding. And I object on both grounds. If we're  
15 going to ask each question over and over three times, the  
16 record is going to be really burdensome.

17 JUDGE LUTON: Overruled.

18 BY MR. BERFIELD:

19 Q The, the question I believe, Mr. Meyer, was I'm now  
20 in the area of salespersons employed by EZ who do sales and  
21 sell the time on QKB.

22 A Under the local marketing agreement.

23 Q Yes.

24 A Okay.

25 Q And how many of those salesman are there?



1           A     There's five plus two sales managers.

2           Q     You have two separate sales managers?

3           A     No, we have a general sales manager over WBZZ and  
4 WQKB and a local sales manager over WBZZ and WQKB. And I  
5 handle the national for both stations. And there are five  
6 salespeople on WQKB alone.

7           Q     Thank you. Does the licensee of QKB have any of its  
8 own salespeople?

9           A     Not that I'm aware of.

10           MR. MILLER: Your Honor, there is absolutely no  
11 issue here on the propriety, legality or anything else of the  
12 LMA. This has nothing to do with the diversification matter.  
13 And that's as far as I know the only pertinence that QKB has  
14 to this proceeding. I therefore object.

15           MR. BERFIELD: Want me to respond to that?

16           JUDGE LUTON: Please. Are you wasting time or  
17 aren't you?

18           MR. BERFIELD: No. No, Your Honor. No. I'm, I'm  
19 eliciting this information because it will be our contention  
20 that, that in terms of, of first of all the diversification.  
21 Provision of programming and the other facts that we are  
22 listing here, the inter-relationship ties to the station that  
23 we're entitled to, to argue that that's, that should be  
24 counted for diversification. They've already announced all  
25 the programming they provide for the station, all the other